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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,689	06/23/2003	Thomas C. Russell	M02A441	7976

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/601,689	RUSSELL ET AL.
Office Action Summary	Examiner	Art Unit	
	BENJAMIN R. BRUCKART	2446	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _16 October 2008_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _28-32_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _28-32_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _23 June 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Detailed Action

Claims 28-32 are pending in this Office Action.

Claims 1-27 are cancelled.

Claims 28, -32 are amended.

The objection to the specification is withdrawn in light of applicant's amendment to the

specification which is accepted.

Response to Arguments

Applicant's arguments filed in the amendment filed 10/16/08, have been fully considered

but they are not persuasive. The reasons are set forth below.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
manner in which the invention was made.

**Claims 28-29, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S.
Patent Publication No. 2003/0023333 by Birkle et al (Applicants IDS) in view of U.S. Patent
No. 7,058,973 by Sultan.**

Regarding claim 28, a method for providing an equipment area network (EAN) for each one or
more pieces of equipment or devices (Birkle: page 1, para 6), wherein for each local piece of
equipment the method comprises the steps of:

      connecting a local controller to the piece of equipment (Birkle: page 2, para 21-25);

      connecting a local Web server to said controller (Birkle: page 2, para 22);

      assigning a unique network address to said router for devices outside the EAN (Birkle:
page 2, para 25; Fig. 3, tag 10; control server also has a web server that has an IP address),

      connecting a local HMI Web browser to said router (Birkle: page 2, para 22-23; page 3,
para 32)

      configuring said router to receive requests from Web browsers both local and remote to
said EAN (Birkle: page 2, para 22-23);

      forwarding the response to the associated said local Web browser of said EAN (Birkle:
page 2, para 22-23).

      The Birkle reference fails to teach Network Address Translation.

      However, the Sultan reference teaches

      connecting a local router between said Web server and a computer network, for providing
isolation therebetween while allowing selective communication therebetween (Sultan: col. 7,
lines 44-63); and

      responding to a request from a Web browser by having said router check the source
network address of the requesting browser (Sultan: col. 5, lines 60-67);

      determining in response to a requesting local Web browser the destination network
address it is requesting (Sultan: col. 6, lines 14-20);

      configuring said router to respond to a destination network address for a remote Web
server by using network address translation (NAT) to translate the associated source network
address (Sultan: col. 6, lines 2-5);

      forwarding via said router to said remote Web server an answer to the request (Sultan:
col. 3, lines 1-11);

receiving via said router a response from said remote Web server that it received the
answer (Sultan: col. 2, lines 42-53) in order to pass information across the internet in a secure
manner (Sultan: col. 1, lines 7-21).

It would have been obvious to one of ordinary skill in the art at the time of the invention
to create the method of Birkle to include network address translation as taught by Sultan in order
to pass information across the internet in a secure manner (Sultan: col. 1, lines 7-21).

Regarding claim 29,

The Birkle reference the method of claim 28,

forwarding a response via the associated said local router to the requesting remote
browser.

The Birkle reference fails to teach ignoring requests.

Hoever, the Sultan reference teaches further including after step (B) the steps of:

determining in response to a requesting remote Web browser the destination network
address it is requesting (Sultan: col. 2, lines 65 – col. 3, line 11);

ignoring the request in response to the destination network address being for a remote
Web server (Sultan: col. 4, lines 50-54);

sending the request to the associated local Web server in response to the destination
network address being that of another local Web server (Sultan: col. 3, lines 1-11);

operating the associated local Web server to check the source network address of the
Web browser making the request (Sultan: col. 5, lines 60-67);

responding to the request via the associated said local Web server using remote privileges
if the source network address is that of a remote Web browser (Sultan: col. 3, lines 42-45) in
order to pass information across the internet in a secure manner (Sultan: col. 1, lines 7-21).

It would have been obvious to one of ordinary skill in the art at the time of the invention
to create the method of Birkle to include network address translation as taught by Sultan in order
to pass information across the internet in a secure manner (Sultan: col. 1, lines 7-21).

Regarding claim 31,

The Birkle reference teaches the method of claim 29

forwarding a response via the associated said local router to the requesting local browser (Birkle: page 2, para 22-23).

The Birkle reference fails to teach ignoring requests.

Hoever, the Sultan reference teaches

responding to the request via the associated said local Web server using local privileges if the source network address is that of a requesting local Web browser (Sultan: col. 3, lines 42-45) in order to pass information across the internet in a secure manner (Sultan: col. 1, lines 7-21).

It would have been obvious to one of ordinary skill in the art at the time of the invention to create the method of Birkle to include network address translation as taught by Sultan in order to pass information across the internet in a secure manner (Sultan: col. 1, lines 7-21).

Claims 30, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent Publication No. 2003/0023333 by Birkle et al (Applicants IDS) in view of U.S. Patent No. 7,058,973 by Sultan in further view of U.S. Patent No. 5,805,442 by Crater et al (Applicant IDS).

Regarding claim 30,

The modified Birkle reference teaches the method of claim 29.

The Birkle reference fails to teach passwords.

However the Crater reference teaches authenticating via the associated said local Web server the password of the requesting remote Web browser (Crater: col. 8, lines 37-63) in order to appropriately control client's access to data (Crater: col. 9, lines 3-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to create the method of Birkle to include passwords as taught by Crater in order to appropriately control client's access to data (Crater: col. 9, lines 3-7).

Regarding claim 32,

The modified Birkle reference teaches the method of claim 29,.

The Birkle reference fails to teach passwords.

However the Crater reference teaches authenticating via the associated said local Web server the password of the requesting local Web browser (Crater: col. 8, lines 37-63) in order to appropriately control client's access to data (Crater: col. 9, lines 3-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to create the method of Birkle to include passwords as taught by Crater in order to appropriately control client's access to data (Crater: col. 9, lines 3-7).

REMARKS

Applicant has amended claim 28 to include limitations from claims 26 and 23 into independent form.

The Applicant Argues:

The Birkle in view of Sultan do not teach the claimed invention arguing the limitation denoted (C) connecting a local router between said Web server and a computer network, for providing isolation therebetween while allowing selective communication therebetween.

In response, the examiner respectfully submits:

The rejection is maintained because the Birkle in view of Sultan reference do teach the limitation as claimed.

The Birkle reference implies providing isolation and allowing selective communication on page 2, para 25 where "bridges and rooters may be integrated into the network and can segment a network into smaller deterministic networks", thus isolating them. The next line illustrates the rooters 'control' the data traffic while setting priorities and give priority to the critical control data. The keyword control denotes controlling and providing isolation and communication priority reading on the argued limitation.

However, the Sultan reference explicitly teaches further details the idea of a router between a network and the web site on col. 7, lines 44-63. Lines 53-58 detail a firewall or gateway (tag 35, Figure 1) will perform the steps of routing and address translation. While it is denoted as a gateway or firewall, the functions performed are substantially similar to the steps of a router and do provide the isolation as claimed.

The term local does not specifically denote where it is located. While Sultan can be interpreted according to Figure 1, the router, tag 35 is local to the devices and web servers it is protecting.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 9:00-5:30PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu can be reached on (571) 272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Benjamin R Bruckart
Examiner
Art Unit 2446

/Benjamin R Bruckart/
Examiner, Art Unit 2446

/Jeffrey Pwu/
Supervisory Patent Examiner, Art Unit 2446